

Theravance

RECEIVED CENTRAL FAX CENTER

OCT 2 0 2004

Facsimile Cover Sheet

To:

Commissioner for Patents

U. S. Patent and Trademark Office

Fax:

(703) 872-9306

From:

Roberta P. Saxon, Reg. No. 43,087

Patent Department

Company:

Theravance, Inc.

Telephone:

650-808-3764

Fax:

650-808-6078

Date:

October 20, 2004

of pages:

13 (including this page)

Response to Restriction Requirement for Serial Number 10/643,196 Re: Examiner: Celia Chang

Group Art Unit: 1625

Attached are the following documents:

1. Transmittal Form (1 page)

2. Response to Restriction Requirement (7 pages)

3. Statement Regarding Deletion of Inventors Pursuant to 37 C.F.R. §1.48(b)-2 pages

4. Fee Transmittal for FY 2005 (1 page) and a duplicate copy

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted on the date shown below via facsimile to Commissioner for Patents, United States Patent and Trademark Office at the facsimile number indicated below.

Date: October 20, 2004

Facsimile Number: (703) 872-9306

Notice of Confidentiality

The following transmittal contains confidential information intended exclusively for the above-named person. Use, copying, distribution or disclosure of information transmitted in error is strictly prohibited. Please call Theravance, Inc. at the above number if you have received this fax in error, and either destroy or return the enclosures to us.

PRIVILEGED AND CONFIDENTIAL

OCT 2 0 2004
PTO/SB/21 [04-04)
Approved for use through 07/31/2006. OMB 0e31-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

			Application Number	10/643,196	
TRANSMITTAL FORM (to be used for all correspondence after initial filling)			Filing Date	August 18, 2003	
			First Named Inventor	Edmund J. MORAN	
			Art Unit	1625	
			Examiner Name	Celia Chang	
otal Number of Pages in Th	is Submission	13	Attorney Docket Number	P-156-US2	
		ENGLO	SURES (check all that apply)		
Fee Transmittal Form				After Allowance Communication Technology Center (TC)	to
Fee Attached	Licens		sing-related Papers	Appeal Communication to Board Appeals and Interferences	d of
Amendment / Repty		Petitio	n	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief))
After Final	nal Pelitic		on to Convert to a sional Application	Proprietary Information	
Affidavits/declaration	on(s)	Powe Chan	r of Attorney, Revocation ge of Correspondence Address	Status Letter	
Extension of Time Request		Terminal Disclaimer		Other Enclosure(s) (please identify below):	
EXENSION OF TIME TO COLUMN		Request for Refund		Facsimile Cover Page - 1	page
Express Abandonment Request		CD, Number of CD(s)			
Information Disclosure Statement					<u> </u>
Certified Copy of Priority Document(s)		ł L	Remarks Enclosed are the following:		
Response to Missing Parts/ Incomplete Application		Response to Restriction Requirement (7 pages); Statement Regarding De Inventors Pursuant to 37 C.F.R. §1.48(b) – 2 pages; Fee Transmittal for FY page) and a duplicate copy			2005 (1
Response to Missing Parts under 37 CFR 1,52 or 1.53		page) at	ia a duplication dopy		
	SIGN	ATURE O	APPLICANT, ATTORNEY,	OR AGENT	
Firm or Ro	Roberta P. Saxon, Reg. No. 43,087				
Signature	Roberta Prayon				
Date Oc	October <u>20</u> , 2004				
		CERTIFIC	ATE OF TRANSMISSION/M/	AILING	
I hereby certify that this Service with sufficient p Alexandria, VA 22313-14	iostade as tirs	t class mai	I III all elivelope addicasca io:	O or deposited with the United State Commissioner for Patents, P.O. Bo	s Posta x 1450
Typed or printed name	Barbara Br		0		
		bucas	Tryout	Date Octobero , 2004	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to correlete, including gathering, process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to correlete, including gathering, properties, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time preparing, and submitting the complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED CENTRAL FAX CENTER

OCT 2 0 2004

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted or Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22 Facsimile Number: (703) 872-9306. By: Barbara Bryant	the date shown below via facsimile to 313-1450 at the facsimile number indicated below: Date: Ottober 20, 2004				
*	PATENT				
	Attorney Docket No. P-156-U\$2				
	Customer Number 27038				
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE					
In re Patent Application of					
MORAN et al.	<u> </u>				
Application No.: 10/643,196) Group Art Unit: 1625				
Filed: August 18, 2003) Examiner: Celia Chang				
For: ARYL ANILINE β ₂ ADRENERGIC RECEPTOR AGONISTS	'				

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

This reply is being filed in response to the Office Action mailed on September 27, 2004, and the Supplementary Office Action sent by facsimile on October 18, 2004 for the above-identified patent application. The Office Action set a one-month period for response and therefore, this reply is due on or before October 7, 2004. Reconsideration of the application in view of the following remarks is respectfully requested.

This Page is Inserted by IFW Indexing and Scanning Operations and is not part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:	
☐ BLACK BORDERS	
☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES	
☐ FADED TEXT OR DRAWING	
☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING	
☐ SKEWED/SLANTED IMAGES	
☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS	
GRAY SCALE DOCUMENTS	
LINES OR MARKS ON ORIGINAL DOCUMENT	
☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY	
Потить	

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.